

CHARTER AMENDMENT RESOLUTION NO. R-13-12

Introduced By	City Council
Date Introduced	December 3, 2012
Amendments Adopted	
Date Adopted	December 3, 2012
Date Effective	January 22, 2013

A CHARTER AMENDMENT RESOLUTION to

REPEAL AND RE-ENACT, WITH AMENDMENTS, SECTION C-311 OF THE CHARTER OF THE CITY OF SEAT PLEASANT IN ORDER TO PROVIDE FOR THE PUBLICATION OF FAIR SUMMARIES OF ORDINANCES AND TO MAKE CERTAIN CLARIFYING CHANGES; AND PROVIDING FOR COMPLIANCE WITH CERTAIN PROVISIONS OF THE ANNOTATED CODE OF MARYLAND PERTAINING TO CHARTER AMENDMENTS.

WHEREAS, Section C-311 of the Charter of The City of Seat Pleasant (the “City”), as currently in effect, provides that each ordinance must be published twice in a newspaper of general circulation in the municipality; and

WHEREAS, publication of fair summaries of ordinances can be cost-prohibitive; and

WHEREAS, the charters of many other Maryland municipal corporations allow for publication of fair summaries of ordinances; and

WHEREAS, the Council of the City desires to amend Charter Section C-311 to provide for publications of fair summaries of ordinances following passage.

that: **NOW, THEREFORE, BE IT RESOLVED** by the Council of The City of Seat Pleasant,

SECTION 1. Pursuant to the authority of Article XI-E of the Constitution of Maryland, as published in the Constitution of Maryland Article of the Annotated Code of Maryland (West 2002 and 2012 Cumulative Supplement), as amended to date, and Section 13 of Article 23A of the Annotated Code of Maryland (West 2002 and 2012 Cumulative Supplement), as amended to date, Section C-311 of the Charter of the City of Seat Pleasant (as published in Municipal Charters of Maryland, Volume 7, 2008 Replacement Edition and November 2011 Supplement), as amended to date (the “Charter”), be repealed and re-enacted, with amendments, to read as follows:

Section C-311. Ordinances.

No ordinance shall be passed at the meeting at which it is introduced. At any regular or special meeting of the Council held not less than six or more than sixty days after the meeting at which an ordinance was introduced, it shall be passed, or passed [and] AS amended, or rejected, or its consideration deferred to some specified future date. In cases of emergency the provision that an ordinance may not be passed at the meeting at which it is introduced may be suspended by the affirmative votes of four members of the Council. Every ordinance, unless it be passed as an emergency ordinance, shall become effective at the expiration of twenty calendar days following approval by the Mayor or passage by the Council over his veto. [Each ordinance] A FAIR SUMMARY OF EACH ORDINANCE shall be published at least twice in a newspaper or newspapers having general circulation in the municipality FOLLOWING PASSAGE. An emergency ordinance shall become effective on the date specified in the ordinance, but no ordinance shall become effective until approved by the Mayor or passed over his veto by the Council.

SECTION 2. The amendments to the Charter adopted by this Resolution shall become effective upon the fiftieth (50th) day after passage of this Resolution, unless a proper petition for referendum meeting the requirements of Section 13 of Article 23A of the Annotated Code of Maryland shall be presented or mailed to the Council in accordance with such Section 13 of Article 23A of the Annotated Code of Maryland on or before the fortieth (40th) day after passage of this Resolution. A complete and exact copy of this Resolution shall be posted at City Hall or other main municipal building or public place for a period of at least forty (40) days following its adoption, and the title to this Resolution, being a fair summary of the amendments to the Charter adopted hereby, shall be published in a newspaper of general circulation in the City not less than four (4) times, at weekly intervals, within a period of forty (40) days starting immediately after the date of adoption of this Resolution.

SECTION 3. The Mayor shall send or cause to be sent to the Department of Legislative Services of the State of Maryland in accordance with the provisions of Sections 17(f) and 9A of Article 23A of the Annotated Code of Maryland, the following documents or information concerning the Charter amendments: (1) the complete text of this Resolution; (2) the date of the referendum election, if any, held with respect thereto; (3) the number of votes cast for or against this Resolution by the Council or in a referendum; and (4) the effective date of the Charter amendments.

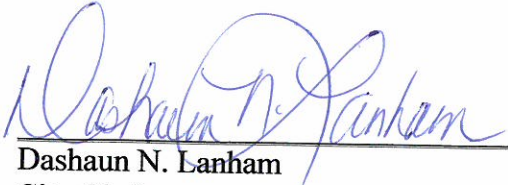
SECTION 4. The Mayor is hereby authorized and directed to carry out or cause to be carried out the provisions of Sections 2 and 3 hereof; and as evidence of compliance herewith, the Mayor shall cause to be maintained in the records of the City an appropriate certificate of publication in the newspaper in which the fair summary of the Charter amendments shall have been published or other evidence of publication; provided that, the failure to so maintain the

same shall not invalidate the effectiveness of the Charter amendments provided for in this Resolution.

READ AND PASSED THIS 3rd DAY OF December, 2012.

Attest:

COUNCIL OF THE CITY OF
SEAT PLEASANT



Dashaun N. Lanham
City Clerk



Kelly Porter
Council President

KEY:

CAPITALS INDICATE MATTER ADDED TO EXISTING CHARTER.
[Boldface brackets] indicate matter deleted from existing Charter.

#151543;52038.010